

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:05CR381
Plaintiff,)	
)	
vs.)	ORDER
)	
RICHARD MARASCO and)	
ANGELA HARMS,)	
)	
Defendants.)	

This matter is before the court on the motions for an extension of time by defendant Richard Marasco (Marasco) (Filing No. 16) and by defendant Angela Harms (Harms) (Filing No. 17). The defendants seek an additional thirty days in which to file pretrial motions in accordance with the progression order (Filing No. 6). Marasco has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 16). Harms's counsel represents that Harms has signed a similar affidavit which will be filed forthwith. Both counsel represent that government's counsel has no objection to the motions. Upon consideration, the motions will be granted.

IT IS ORDERED:

Defendant Marasco's and defendant Harms' motions for an extension of time (Filing Nos. 16 and 17) are granted. The defendants are given until **on or before December 27, 2005**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **November 28, 2005 and December 27, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28th day of November, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge